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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,582	08/20/2003	D. Navin Chandra	GEN-001	5207
22832	7590	04/07/2006	EXAMINER	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP STATE STREET FINANCIAL CENTER ONE LINCOLN STREET BOSTON, MA 02111-2950			PHAM, KHANH B	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/644,582	Applicant(s) CHANDRA ET AL.	
	Examiner Khanh B. Pham	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group II (Claims 26-40) in the reply filed on March 10, 2006 is acknowledged.

Claim Objections

2. Claims 26, 34-37 are objected to because of the following informalities:
 - Claim 26, line 3: semicolon “;” should be replaced with colon “:.”
 - Claim 26 line 4: “**an** first object” should be replaced with “**a** first object”.
 - Claims 34-37, line 1: “**a** the relationship” should be replace with “the relationship”.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 26-40 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 26-40 are directed to “a computer program product” comprises only software component (i.e., “an electronic database”.) Claims 26-40 are therefore rejected as being intangible embodied, and therefore nonstatutory.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 26-39 are rejected** under 35 U.S.C. 102(e) as being anticipated by Askenazi (US2002/0123847 A1), hereinafter “Askenazi”.

As per claim 26, Askenazi teaches a computer program product comprising: “an electronic database storing a plurality of case statements, each case statement comprising an first object identifier; a relationship connector; and a second object identifier wherein the relationship connector is based on a life science ontology” at page 3, [0031] and Fig. 1.

As per claim 27, Askenazi teaches the product of claim 26, wherein “a set of said case statements define a biological function” at [0026].

As per claim 28, Askenazi teaches the product of claim 27, wherein “the biological function comprises a chemical reaction” at [0026], [0031].

As per claim 29, Askenazi teaches the product of claim 27, wherein “the biological function comprises transport” at [0026], [0031].

As per claim 30, Askenazi teaches the product of claim 27, wherein “the biological function comprises digestion of a biomolecule” at [0026], [0031].

As per claim 31, Askenazi teaches the product of claim 26, wherein “at least one of the first and second object identifiers identifies a biomolecule” at [0028].

As per claim 32, Askenazi teaches the product of claim 26, wherein “at least one of the first and second object identifiers identifies a biological function” at [0026], [0031].

As per claim 33, Askenazi teaches the product of claim 26, wherein “at least one of the first and second object identifiers identifies a relationship connector” at [0026], [0031].

As per claim 34, Askenazi teaches the product of claim 26, wherein “the relationship connector represents an identity relationship” at [0026], [0031].

As per claim 35, Askenazi teaches the product of claim 26, wherein “the relationship connector represents a product relationship” at [0026], [0031].

As per claim 36, Askenazi teaches the product of claim 26, wherein “the relationship connector represents a substrate relationship” at [0026], [0031].

As per claim 37, teaches the product of claim 26, wherein “the relationship connector represents a enzymatic relationship” at [0026], [0031].

As per claim 38, Askenazi teaches the product of claim 26 further comprising “a graphical user interface configured to permit a user to query the database at least on the relationship between biological object identifiers” at [0040], [0053]-[0078].

As per claim 39, Askenazi teaches the product of claim 26 further comprising “a data input interface configured to permit a user to create case statements” at [0040], [0053]-[0078].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 40 is rejected** under 35 U.S.C. 103(a) as being unpatentable over **Askenazi** as applied to claims 26-39 above, and in view of Stanley et al. (US 2002/0198858 A1), hereinafter “**Stanley**”.

As per claim 40, Askenazi teaches the product of claim 26 as discussed above. Askenazi does not explicitly teach “an access manager configured to restrict access of a user to one or more portions of the electronic database” as claimed. However, Stanley teaches a biological database includes an access manger layer to restrict access of a user to one or more portions of the electronic database at Figs. 15-16. Thus, it would

Art Unit: 2166

have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Stanley with Askenazi teaching in order to enhance the security of the database and protect sensitive data in the database from unauthorized users.

Conclusion

8. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (571) 272-3574 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham
Examiner
Art Unit 2166

March 27, 2006

A handwritten signature in black ink, appearing to read 'Kpham', with a long horizontal flourish extending to the right.